



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of
Hideyuki KIMURA et al.

ATTENTION: GROUP DIRECTOR
Technology Center 1700

Group Art Unit: 1794

Application No.: 09/674,077

Examiner: M. PATTERSON

Filed: October 26, 2000

Docket No.: 107714

For: INSERT-BONDED CYLINDRICAL ARTICLES, AND A MOLDING METHOD AND
A MOLDING APPARATUS THEREFORE TECHNICAL FIELD TO WHICH THE
INVENTION PERTAINS

**PETITION TO RESET A PERIOD FOR REPLY
DUE TO NON-RECEIPT OF OFFICE ACTION**

Attention: Group Director of Technology Center 1700
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the February 12, 2008 Office Action be re-mailed to the attorneys of record and the statutory period for replying to the February 12, 2008 Office Action be reset.

On March 19, 2008, during a routine inspection of the Patent Office PAIR system, Applicants' Representative discovered that an Office Action had been mailed in the above application on February 12, 2008. The Office Action was not received in the offices of the undersigned. A search of the file jacket and docket records indicates that the Office Action was not received.

Furthermore, the Patent Office Image File Wrapper (IFW) indicates that the February 12, 2008 Office Action was returned to the Patent Office on February 14, 2008 as undeliverable. The Patent Office did not attempt to re-send the Office Action. A copy of the

first page of the returned Office Action (with the OIPE stamp confirming return of the Office Action by the Patent Office), and the computerized docket record used in the offices of the undersigned is attached hereto.

In view of the foregoing, Applicants respectfully request that the non-received Office Action be re-mailed to the attorneys of record and that the statutory period for response be reset from the date on which the Office Action is re-mailed, to reinstate the time which was lost due to non-receipt of the February 12, 2008 mailing.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Aaron L. Webb
Registration No. 56,930

JAO:ALW/ldg

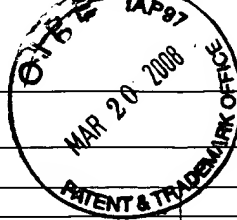
Attachments:

Computerized docket record
Copy of first page of PTO date-stamped Office Action from IFW
Copy of IFW showing Miscellaneous Incoming Letter

Date: March 20, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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CASE DETAIL REPORT**Docket No: 107714**

Status: Pending	Creation Date: October 26, 2000
Property Type: Patent	Modified Date: November 21, 2007
Category: Normal	
Country: U.S.	Billing Attorney: James A. Oliff
Expiration:	Working Attorney: Aaron L. Webb
Next Renewal:	Paralegal: Aaron L. Webb
Title: Insert-Bonded Cylindrical Articles, and a Molding Method and a Molding Apparatus Therefore Technical Field to Which the Invention Pertains	

Priority Date: October 26, 2000	Entity Size: Large Entity
Application No: 09/674,077	Application Date: October 26, 2000
Registration No:	Registration Date:
Publication No:	Publication Date:
Group Art Unit: 1772	Rank:

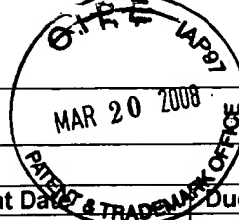
Client: SUGIMURA INTERNATIONAL PATENT	Client Ref 1: 98822 KH
Client No: 10743	Client Ref 2:
Agent:	Agent Ref:
Assignees: YOSHINO KOGYOSHO CO., LTD.	Inventors: Hideyuki KIMURA Tsugio NOMOTO

Class:
Good/Services:
Remarks: JP Application No: 9-243,431 (Priority not claimed).PCT/JP99/00989 FLD 3/1/99. DECL, ASSIGN, IDS FLD 10/26/00. NTC OF ACCEPTANCE REC'D 1/16/01. REQ FOR CRCT PALM RECORDS FLD 1/24/01. CRCT OFR REC'D 03/14/01. ASSIGN RECORDED 10/26/00, R11423/F0481-2 REC'D 4/2/01. REQ FOR CRCT PALM RECORDS FLD 4/23/01. CRCT OFR REC'D 1/7/02. STATUS INQ FLD 4/23/02. STATUS REPLY REC'D 5/3/02. IDS FLD 7/18/02. - Examiner: M. PATTERSON - 8/21/2003. ADVISORY ACTION RECD 12/31/03. RCE FLD 1/16/04.

Related Cases				
Case No.	Relationship	Country	Official Number	Priority Date

Standing Instructions		
Instruction Type	Instruction	Responsible Party
Renewal	Renew only after instruction	OLIFF & BERRIDGE, PLC
Renewal Reminder	All reminders	OLIFF & BERRIDGE, PLC

Event Description	Event Date	Due Date	Notes
Status Check/Response to 3 month OA filed		March 20, 2008	
Converted Renewal Date	March 1, 1999	March 1, 1999	
FILG RCPT STATUS CHK - Mail Date	October 26, 2000		
Instructions received date for new case	October 26, 2000		
Date of entry	October 26, 2000	October 26, 2000	
Application Filing Date	October 26, 2000	October 26, 2000	09/674,077
Earliest priority date	October 26, 2000	October 26, 2000	
Application Filing Date	October 26, 2000	October 26, 2000	09/674,077
Earliest Priority Date	October 26, 2000	October 26, 2000	
FILG RCPT STATUS CHK - Due Date	January 17, 2001	March 26, 2001	
RESTRICTION/ELECTION - Mail Date	October 1, 2002		
STATUS CHECK - Mail Date	October 29, 2002		
RESTRICTION/ELECTION - Due Date	October 29, 2002	November 1, 2002	
RESTRICTION/ELECTION - Final Date	October 29, 2002	April 1, 2003	

CASE DETAIL REPORT**Docket No: 107714**

Event Description	Event Date	Due Date	Notes
RESPONSE TO OA - Mail Date	January 16, 2003		NOTES :REJ 2X NOW DUE 6/16/03 PER 5/15/03 DKT SLIP.
STATUS CHECK - Due Date	January 21, 2003	March 29, 2003	
PROP AMEND TO CLIENT - Mail Date	March 6, 2003		
PROP AMEND TO CLIENT - Due Date	March 13, 2003	March 13, 2003	
INTERVIEW @9:00A CP3 - Mail Date	May 20, 2003		
INTERVIEW @9:00A CP3 - Due Date	May 20, 2003	May 20, 2003	
STATUS CHECK - Mail Date	June 5, 2003		
RESPONSE TO OA - Due Date	June 5, 2003	April 16, 2003	NOTES :REJ 2X NOW DUE 6/16/03 PER 5/15/03 DKT SLIP.
RESPONSE TO OA - Final Date	June 5, 2003	July 16, 2003	NOTES :REJ 2X NOW DUE 6/16/03 PER 5/15/03 DKT SLIP.
NOTICE OF APPEAL - Mail Date	August 20, 2003		NOTES :NOA 1X NOW DUE 12/20/03 PER 11/18/03 DKT SLIP!
FINAL REJECTION - Mail Date	August 20, 2003		NOTES :F. REJ 1X NOW DUE 12/20/03 PER 11/18/03 DKT SLIP!
STATUS CHECK - Due Date	August 21, 2003	November 5, 2003	
PROP AMEND TO CLIENT - Due Date	November 24, 2003	November 25, 2003	
PROP AMEND TO CLIENT - Mail Date	November 25, 2003		
INTERVIEW @ 4 P.M. - Mail Date	December 4, 2003		
INTERVIEW @ 4 P.M. - Due Date	December 4, 2003	December 4, 2003	
CALL EXAMINER - Mail Date	December 5, 2003		
FINAL REJECTION - Due Date	December 5, 2003	November 20, 2003	NOTES :F. REJ 1X NOW DUE 12/20/03 PER 11/18/03 DKT SLIP!
FINAL REJECTION - Final Date	December 5, 2003	February 20, 2004	NOTES :F. REJ 1X NOW DUE 12/20/03 PER 11/18/03 DKT SLIP!
CALL EXAMINER - Due Date	December 31, 2003	January 5, 2004	
STATUS CHECK - Mail Date	January 16, 2004		
NOTICE OF APPEAL - Due Date	January 16, 2004	November 20, 2003	NOTES :NOA 1X NOW DUE 12/20/03 PER 11/18/03 DKT SLIP!
NOTICE OF APPEAL - Final Date	January 16, 2004	February 20, 2004	NOTES :NOA 1X NOW DUE 12/20/03 PER 11/18/03 DKT SLIP!
CALL EXAMINER - Mail Date	February 20, 2004		
CALL EXAMINER - Due Date	March 16, 2004	March 16, 2004	
INTERVIEW@2:00 pm - Mail Date	March 31, 2004		
INTERVIEW@2:00 pm - Due Date	March 31, 2004	March 31, 2004	

CASE DETAIL REPORT**Docket No: 107714**

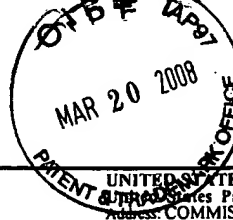
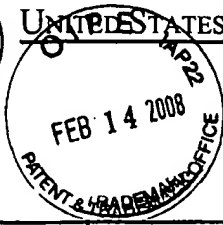
Event Description	Event Date	Due Date	Notes
Fax Postcard	April 2, 2004	April 14, 2004	
Electronic Copy received	April 2, 2004	June 24, 2004	
3 month Office Action mail date	April 21, 2004		
STATUS CHECK - Due Date	April 23, 2004	June 16, 2004	
IDS Call Up/References Received?	May 21, 2004	December 26, 2000	
Information Disclosure Statement	May 21, 2004	January 26, 2001	
Notify client of Foreign Filing- 6 Month reminder	May 21, 2004	April 26, 2001	
Foreign filing - 9 month reminder	May 21, 2004	July 26, 2001	
Foreign filing instructions Rec- 11 month reminder	May 21, 2004	September 26, 2001	
Foreign Filing Due	May 21, 2004	October 26, 2001	
Interview	July 7, 2004	July 7, 2004	AT 3:00 P.M., REMSON
Response to 3 month Office Action Filed	July 21, 2004		
Final Rejection Mail Date	October 1, 2004		
Miscellaneous (Exam)	November 30, 2004	November 29, 2004	Draft Appeal Brief
Request for Reconsideration filed	December 3, 2004		
Final Rejection Due	December 3, 2004	January 1, 2005	
General Submission to the PTO	December 14, 2004		Substance of Interview
Miscellaneous (Exam)	December 15, 2004	December 15, 2004	NOA c/u
Advisory Action received	December 27, 2004		
Call Examiner	December 27, 2004	December 29, 2004	
Notice of Appeal Due	January 3, 2005	January 1, 2005	
Notice of Appeal Filed	February 1, 2005		
Appeal Brief Filing Date	March 1, 2005		
Miscellaneous (Exam)	March 17, 2005	March 18, 2005	Instructions Recd?
General Submission to the PTO	August 3, 2005		Confirmation of Phone Conference
3 month Office Action mail date	October 19, 2005		
Examiners Answer Received	October 20, 2005	October 21, 2005	
Comments Due	November 30, 2005	December 1, 2005	
File Response	December 1, 2005		
Response to 3 month Office Action Filed	December 1, 2005		
General Submission to the PTO	December 23, 2005		Applicant's Interview Summary
Final Rejection Mail Date	February 24, 2006		
Status Check/Response to 3 month OA filed	February 27, 2006	June 1, 2006	
Comments Due	April 4, 2006	April 4, 2006	
Schedule Interview	April 6, 2006	April 7, 2006	
Call Examiner	April 18, 2006	April 18, 2006	call examiner to confirm interview
Interview	April 20, 2006	April 20, 2006	
Notice of Appeal Due	May 24, 2006	May 24, 2006	
Final Rejection Due	May 24, 2006	May 24, 2006	
Final Rejection (1X)	June 26, 2006	June 24, 2006	
Notice of Appeal (1X)	June 26, 2006	June 24, 2006	
File RCE	July 21, 2006		
File RCE	July 21, 2006		

CASE DETAIL REPORT**Docket No: 107714**

Event Description	Event Date	Due Date	Notes
General Submission to the PTO	July 21, 2006		AMENDMENT AFTER RCE WOTH COPY OF PTO RECEIPT OF MARCH1, 2005 APPEAL BRIEF & COPY OF PTO RECEIPT OF AUGUST 3, 2005 CONFIRMATION OF TELEPHONE CONFERENCE & RESUBMISSION OF APPEAL BRIEF
RCE filed	July 21, 2006		
RCE filed	July 21, 2006		
Status Check/RCE filed	July 21, 2006	November 21, 2006	
3 month Office Action mail date	October 10, 2006		
Status Check/RCE filed	October 11, 2006	November 21, 2006	
Miscellaneous (Exam)	November 17, 2006	November 17, 2006	COMMENTS DUE
Schedule Interview	December 5, 2006	December 6, 2006	
Interview	December 7, 2006	December 7, 2006	Interview@ 11am
Response to 3 month Office Action Filed	December 19, 2006		
3 month Office Action mail date	March 14, 2007		
Call Examiner	March 14, 2007	March 14, 2007	
Status Check/Response to 3 month OA filed	March 16, 2007	April 19, 2007	
Call Examiner	March 26, 2007	March 26, 2007	re: Status of OA
3 month Office Action mail date	April 9, 2007		
3 month Office Action Due	April 11, 2007	June 14, 2007	
3 month Office Action (1X)	April 11, 2007	July 14, 2007	
3 month Office Action (2X)	April 11, 2007	August 14, 2007	
Call Up 3 Month Office Action	April 11, 2007	September 7, 2007	
3 month Office Action (3X) No Extension	April 11, 2007	September 14, 2007	
Interview	May 21, 2007	May 21, 2007	Examiner Interview: 11:00 am
Response to 3 month Office Action Filed	June 11, 2007		
3 month Office Action mail date	September 7, 2007		
Status Check/Response to 3 month OA filed	September 10, 2007	October 11, 2007	
Miscellaneous (Exam)	October 29, 2007	October 29, 2007	Call Up
Response to 3 month Office Action Filed	November 20, 2007		
Date of last change	November 21, 2007	March 31, 2004	
Converted Expiration Date	March 1, 2019	March 1, 2019	



UNITED STATES PATENT AND TRADEMARK OFFICE



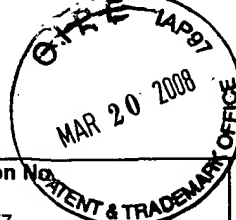
AF/IFW

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,077	10/26/2000	Hideyuki Kimura	107714	1563
25944 7590 02/12/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			EXAMINER PATTERSON, MARC A	
			ART UNIT 1794	PAPER NUMBER
			MAIL DATE 02/12/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



Office Action Summary

Application No.

09/674,077

Applicant(s)

KIMURA ET AL.

Examiner

MARC A. PATTERSON

Art Unit

1794

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/20/07.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 12-14, 22, 23 and 26-30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6, 12-14, 22, 23 and 26-30 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

NEW REJECTIONS

Claim Rejections – 35 USC § 102(b)

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 - 2, 22, 24, 26, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirata et al (U.S. Patent No. 5,193,711) in view of Moore (U.S. Patent No. 5,954,223).

With regard to Claims 1 and 22, Hirata et al disclose a body which is molded and is a container (column 4, lines 53 - 55) and cylindrical (circular; column 5, lines 65- 66) and therefore has a sidewall portion having an inner surface and an outer surface and an upper opening, and comprises a sheet shaped insert, which is a label which is forced between a core and a cavity of a mold, and therefore inserted between the core and cavity (column 5, lines 41 - 45) having an upper edge and lower edge (the label has a lower end, and therefore an upper end; column 5, lines 41 - 45); resin is injected into the space between the core and the cavity and is unified with the insert, allowing the insert to be bonded to the outer side of the wall of the body (column 5, lines 41 - 45), therefore bonded to the outer surface of the body; the body is therefore insertion molded; the container comprises a thickened area which is formed by the resin and which is less than the full height of the container (the thickened area is formed by cut surfaces in the core which are less than the full height of the container, therefore closer to the upper edge

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that the lower edge as shown in Figure 12; the thickened area is shown in Figure 13; column 7, lines 15 - 20); which is positioned at the inner surface of the sidewall portion (the cut surface of the core is in the side wall of the core as shown in Figure 21); because the resin of the thickened area is injected, the thickened area is formed by an injection gate opening, and is therefore an injection gate mark and is formed by injection; because the thickened area is less than the full height of the container, the thickened area is a mark that is inwardly apart from the upper end of the insert in an axial direction and at a position corresponding to a position on the inner surface that is covered by the insert. Hirata et al fail to disclose a container having a bottom opening.

Moore teaches a container that is provided with a bottom opening for the purpose of draining water from the container (column 4, lines 36 - 43). One of ordinary skill in the art would therefore have recognized the advantage of providing for the bottom opening of Moore in Hirata et al, which comprises a container, depending on the desired drainage of the end product.

It therefore would have been obvious for one of ordinary skill in the art at the time Applicant's invention was made to have provided for a bottom opening in Hirata et al in order to obtain a container from which water may be drained as taught by Moore.

With regard to Claim 2, Hirata et al disclose a gap on the outer surface positioned between opposed ends of the insert and not covered by the insert (between sidewall sections of the insert as shown in Figure 3; column 4, lines 56 - 60).

With regard to Claim 24, the Hirata et al disclose a Container comprising one bottom wall, instead of multiple bottom wall, as shown in Figure 1A, and therefore is formed without a bottom wall.

With regard to Claim 26, because resin is injected into the space between the core and the cavity and is unified with the insert, the insert is bonded to an entire surface of the outer surface of the sidewall portion, excluding a mouth portion of the cylindrical molded body.

With regard to Claims 28 and 30, the claimed aspect of the article being made by a method comprising fitting, attaching and holding the insert along the inner surface of the outer molding unit in the molding cavity is directed to a product - by - process limitation and is therefore given little patentable weight.

3. Claims 3 - 6, 12 - 14, 23, 25, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirata et al (U.S. Patent No. 5,193,711) in view of Moore (U.S. Patent No. 5,954,223) and Suzuki et al (Japanese Patent No. 6246777) and Asasi Chemical (Japanese Patent No. 03286815).

Hirata et al and Moore disclose an insertion and injection molded article comprising an insert and injected resin as discussed above. The mold comprises a mold cavity, therefore an outer mold unit, and core, as discussed above, therefore a core shaped to be inserted and fitted into the outer mold unit, and a cavity between the outer mold unit and the core; the core also comprises an injection gate opening (groove; column 6, lines 65 - 67); the insert is placed between the core and cavity, as discussed above, and is therefore fitted attached and held along the inner surface, and resin is injected toward the molded body inner surface; the insert is also pushed onto the inner surface with the resin (the resin forces the side Wall section against the cavity side; column 5, lines, 49 - 52) and therefore shapes the resin. With regard to Claims 3, 23

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and 25, Hirata et al fail to disclose a core which is a pull - out mold unit and a resin which is cured following injection.

Suzuki et al teach the use of a mold unit which is a pull - out mold unit (pulled out of the space; paragraph 0025, English translation) for injection molding, for the purpose of molding a container (paragraph 0004, English translation). One of ordinary skill in the art would therefore have recognized the advantage of providing for the pull - out mold unit of Suzuki et al in Hirata et al, which comprises insertion and injection molding; depending on the desired adhesion to both layers of the end product.

It therefore would have been obvious for one of ordinary skill in the art at the time Applicant's invention was made to have provided for a pull - out mold unit, therefore a core which is a pull - out mold unit, in Hirata et al and Moore in order to obtain a container as taught by Suzuki et al.

Asahi Chemical teaches that thermoplastic resins and thermosetting resins are used alternatively in the making of containers for the purpose of making a container having a good appearance (English Abstract). Therefore, one of ordinary skill in the art would have recognized the utility of providing for the thermosetting resin taught by Asahi Chemical, rather than a thermoplastic resin, in Suzuki et al, which is a container, depending on the desired surface appearance of the end product as taught by Asahi Chemical.

It therefore would have been obvious for one of ordinary skill in the art at the time Applicant's invention was made to have provided for a thermosetting resin in Suzuki et al in order to make a container having a good appearance as taught by Asahi Chemical, thus providing

for a resin which continuously cures throughout the molding process of Suzuki et al including the step following injection.

With regard to Claim 4, as stated above, Hirata et al disclose a gap on the outer surface positioned between opposed ends of the insert and not covered by the insert; molten resin is therefore not injected toward the gap.

With regard to Claims 5, 12, 27 and 29, a knock out pin is provided in the core disclosed by Suzuki et al (ejection pin; paragraph 0011, English translation), and the Suzuki et al further disclose pulling Out the pull - out mold unit of the outer mold unit after insertion molding (paragraph 0025, English translation and cutting a connection between the cured resin inside an injection gate opening and a molded body by raising the knock, out pin (the ejection pin is raised, eliminating thermoplastics remaining between the core and runner, thus cutting the connection between molded body and the knock - out pin, and forming a mark left by the injection gate; paragraph 0011, English translation) and removing the body by pushing the bottom portion of the body (the fabricated compound container is taken out from the core by moving upwards the stripper plate with which its bottom portion is in contact (paragraph 0022, English translation; Figure 9).

With regard to Claims 6 and 13 - 14, as discussed above, the insert disclosed by Hirata et al is fitted, attached and held in a cylindrical shape along the inner surface of the outer mold unit; the mold unit is a pull - out mold unit as discussed above, and a contact frictional force is therefore applied by placing the insert in a cylindrical shape into the outer mold unit while the core of the injection molding mold is pulled out from the outer mold unit.

ANSWERS TO APPLICANT'S ARGUMENTS

4. Applicant's arguments regarding the 35 U.S.C. 103(a) rejection of Claims 1 - 2, 22, 24, 26, 28 and 30 as being unpatentable over Hirata et al (U.S. Patent No. 5,193,711) in view of Moore (U.S. Patent No. 5,954,223), of record in the previous Action, have been carefully considered but have not been found to be persuasive for the reasons set forth below.

Applicant argues, on page 10 of the remarks dated November 20, 2007, that the term 'gate mark' is widely known in the field of injection molding, and has used in over 100 patents.

However, as stated above, because the term 'gate' refers to an injection gate in the method of making the claimed article, and because the thickened area of Hirata et al is formed by an injection gate, the term 'gate mark' does not exclude the thickened area of Hirata et al; furthermore, it is not clear that the term 'gate mark' has been used to define a structural feature in a product claim of a previous patent.

Applicant also argues, on page 11, that Hirata et al do not disclose a molten resin that passes through an injection gate opening in a direction toward the inner surface of the sidewall portion because the resin disclosed by Hirata et al travels through a plane of the opening traveling downwardly.

However, the claim limitation 'a direction toward the inner surface of the sidewall portion' does not limit the direction of travel to a sideways, as opposed to downward direction, because a sideways direction is not claimed.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A Patterson whose telephone number is 571-272-1497. The examiner can normally be reached on Mon - Fri 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 09/674,077

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/Marc A Patterson/
Primary Examiner, Art Unit 1794

09/674,077 Insert-bonded cylindrical articles, and a molding method and a molding apparatus therefor technical field to which the invention pertains 03-20-2008::10:51:15

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